91-55

(5)

Supreme Court, U.S.
FILED
JUL 5 1991
OFFICE OF THE CLERK

No. 87-1284/2038; 87-1286/2072

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1991

FRANCIS R. FITZSIMMONS and

ROGER TOWNE (Petitioners)

-vs-

UNITED STATES OF AMERICA (Respondent)

APPENDIX

VOLUME III

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Transcript: Schultz/Fitzsimmons

Telephone Conversation of 5/1/85

(9 a.m.). 132

DATE OF TAPE: 5/1/85

TIME OF TAPE: 9:00 A.M.

FILE NUMBER:

CASE AGENT: CHRISTINE A. SIMPSON

TRANSCRIBED BY: SUSAN G. DAKIN - 8/20/85

REVIEWED BY: CHRISTINE A. SIMPSON

ATTACHMENT D

5/1/85

9:00 A.M.

LEONARD SCHULTZ - LS

FRANCIS RICHARD FITZSIMMONS - FF

Note: Initial portion of tape recording was used for testing by Agents INSOGNA and CARONE. Tape starts at 8:30 a.m., but transcription begins with FITZSIMMONS entering SCHULTZ' office for 9:00 a.m. meeting.

LS: DICK, how ya feelin'?

FF: Good, and you?

LS: Ya look good. Hey, you're on time almost.

FF: I am?

LS: Huh?

FF: Oh, my...

LS: Are you usually on time or not?

FF: Yeah.

LS: Huh?

FF: Yeah.

LS: Leave me...I wanta close this door so no (unintelligible). 'Cause I get interruptions. And people come in, you know, back an' forth, so what the hell. I'm surprised, you, you know you called me. I'm surprised. What's cookin'? Tell me. You look good. Huh?

FF: What's cookin'? Nothin'.

LS: Nothin' cookin'? I, you know, I ran into, ah, FRANK. I was having lunch and he was telling me of the problem, you know, you have. This problem, that problem with, ah, with that limousine service and...you know, I was talkin' to,

ah, JOE BANES prior to here just now. They do that, ah, hauling of, ah, cars and everything. They, ah, they did, they took, ah, my car. I'm scared to drive it when I head down to Florida. I had a lotta problems with it over there. And, you know, you take 'em, you take the car and they see an' out of town guy and for four days they had me comin' back and forth. All I wanted was new fan belts, change the oil, new filter and that's it. Right?

Hm hmm.

So, come to, ah, close to two hundred somethin' dollars they charged me. My wife and I are goin' out to dinner and we get stuck right on Ocean Drive. And,

you know, if you get stuck on Ocean Drive with all them cars there. Finally, I could barely get it into a lot there at one of the hotels and had ta leave it there and no place around ta get someone to fix it, that's at night. So, what happened, I called the guy up the next morning, they towed it in, towed it in. They tell me that the battery's down. I said, "How can the batter be down if I'm driving to, it's generating, right?" I says, "Maybe the guy made a mistake and with the fan belts he didn't tighten?" "No, no, no." Anyhow, for four days I went through this here and every time I, I came there, you know, they're havin' to lease a car. They charge ya twenty

FF:

LS:

bucks, give ya forty miles, then ten cents a mile. So, it cost me money for leasing a car. And they tell me all was wrong is the battery had ta be charged for two hours. But they lied. You know they lied. The guy probably didn't tighten up the belt to the... Alternator.

...generator. Ya, al-, the alternator and that's what it was. So, my wife and I usually drive the car back. You know, just take, you know, spend a few days just ridin', lookin' at the scenery. So, what happened, I says to her, "I'm not taking a chance of gettin' stuck." So, I called 'em up and, ah, they took the car back for me. And, ah...

FF: What's he charge for that?

LS: Oh, well, they charge, actually they charge four hundred fifty or four hundred bucks, but he gave it ta me for three fifty 'cause they took it down and I never got, you know, do I have to tell ya about JOE BANE? I, JIM, do you know JIM? His partner?

FF: No.

LS: Okay. Anyhow, those guys, you know they're robbers. And, what happened is, ah, ah, they charged me four fifty and I gave 'em the car a week ahead of time to make sure that it would get there. And it got there a week later. I had no car and I'm going nuts and they tell me any minute. I, I was calling and "When's the car comin'

in?" Call back and forth, back and forth. It should be in. Anyhow, here comes two guys drunker n' hell, with, with this trailer. I told him, "Here, do me a favor, don't take the car off. I'll take it off myself." I had ta get in and take it off because they were gonna smash it all up taking it off. They were drunker than a loop (phonetic).

FF: No shit?

LS: I'm tellin' ya, drunk. How the hell they can put these kinda guys on the roads is beyond me. They'll kill somebody. You know? Terrible. And I called him back up and said, "I don't know who you got drivin' for you, but those guys must've hit some back roads or

somewhere. My car, had ta take it through a car wash three times ta get the dirt off of it. I don't know where they were with that damn trailer." But that car was filthy like you never seen.

FF: Huh.

LS: I mean the roof. Hey, ya couldn't even scrub it off. But I went through three times for a car wash to get the damn dirt off. I've never seen anything like it. I said, "Where in the hell were you guys?" "Aw, we were laid up." "Laid up", I said, "You look like a plowed (phonetic) up right now." "Well, sorry, sir."

FF: Well, I understand JOE's doin' pretty good in that?

LS: Yeah. Well, he gets into everything from what I gather. He's into this trucking and he's into, ah, backing up fighters and he's backing up this and he's backing up...you know, he's gonna back himself into, into a hole. (Laughter)

LS: He's nuts, you know. He's into everything. You know, he, he, you keep talkin' about and, and like I'm trying to call, ah, MIKE BANE and I've been calling for three, four days and we keep mees (phonetic), missing each other. So, what happened is, don't the TEAMSTERS have money for extra phones up in Pontiac?

FF: I know, yeah, it's a...

LS: Is that a broke union?

FF: That's a goddamn, that's a shame up there.

LS: What's, what's going on there?

FF: Nothing. It's a...

LS: They don't have no telephones...what is this?

FF: No, there, there's no leadership up there.

LS: Oh. Well, MIKE'll take over.

FF: That's right. If he, you know, like I told him whenever he went back there, "Just go in there and do your job and, you know, and..."

LS: He'll probably take that union over.

FF: Yeah, because, uh, SIMON er, ah, SIMMONS...

LS: Yeah?

FF: Is that who the president of the union is? Ah...

LS: Who's WALKER?

FF: WALKER. WALKER.

LS: WALKER. That's what I heard.

FF: Yeah, he's, ah...This is his last term.

LS: Oh. So, he'll be takin' over?

FF: Hm hmm.

LS: You'll be in good shape.

FF: Hm hmm.

LS: Be the head man. The head honcho. God forbid. (Laughs).

FF: You're right.

LS: (Laughs). God forbid, huh?

FF: Yeah.

LS: There goes Oakland County.

FF: I know.

LS: Huh?

FF: No, he's settled down a little bit.

LS: You think he's settled down.

FF: Yeah.

LS: Huh? I hope so.

FF: Yeah, he's settled down.

LS: Huh?

FF: Well, he says he's settled down.

LS: Yeah. What's happening with you?

FF: Nothing.

LS: So, what, what are you, what do you do? You know, FRANK was really concerned. You know, you got a good friend in him.

FF: Well, you know, what happens is, is, you know, the thing is kinda political.

LS: Yeah.

FF: You know that thing I referred to.

LS: Yeah. You mean the one that you're indicted on?

FF: No. This, this Commuter Limo.

LS: Oh, the Commuter Limo (unintelligible).

FF: It's kinda, it's kinda of political, ah, if you want to make it that way.

LS: Yeah.

FF: And that's, you know, that's FRANK's bag.

LS: Right.

FF: So, what he does is, ah, instead of just takin' a little bit, he goes in there and he, he wants, you know, he, he's gung-ho, right?

LS: Yeah. Well, he's an ambitious businessman.

FF: Yeah.

LS: And he's a sucsec, sus-, very successful.

FF: Yeah. So, anyway, ah, ah, we got into the airport and, ah, he wants to go in it now and, you know, and

just take over the whole fuckin' thing.

LS: Yeah.

FF: And, and, and it's political.

LS: Yeah.

FF: And, ah, you know, that, uh, that deal with SHORTWAY, ah, they fuckin' lie. You know, when I left SHORT, I went 't work with SHORTWAY, right, I was promised, I was promised a fuckin' raise, right, in six months.

LS: I thought you were the President of that company?

FF: Oh, fuck.

LS: Or was that a farce?

FF: It's a fuckin' farce.

LS: No kiddin'?

FF: You know I was promised this, promised that.

LS: Who owns SHORTWAY?

: Ah, MARGOLIES.

: MARGOLIES? Is that, not the guy at GREYHOUND?

: No.

: No?

: No. The guy that, that used to be at GREYHOUND is a guy by the name of WIGHAULER (phonetic).

: Yeah.

: Okay, now he left GREYHOUND about, ah, oh, maybe ten years ago and went with SHORTWAY.

: Yeah.

: And he is the, uh, he's in with MARGOLIES.

: I see.

: Yeah. And they made all these fuckin' promises and, uh, they just beat me to death. Shit. Ah, they

got me workin' for twenty-five grand a year.

LS: Oh, God.

FF: I'm workin' seven days a fuckin' week.

LS: Huh.

FF: Fourteen hours a day and everything's my fault.

LS: Oh, yeah, one of those deals, yeah.

FF: You know, it's, uh, hey, run this company. The company's yours. You do it. Okay, fine. Well, give me some equipment.

LS: Yeah.

FF: You know, give me some, uh.

LS: Yeah.

FF: Let me run the company and, and just, just give me some equipment and I'II set their operation.

LS: Yeah.

And, and then the fuckin' bill collectors started comin' and then I'd say, "Well, I can't help you." "Well, you're the president."

Mmm hmm.

I'm terribly sorry, I'II do the best I can, ba-ba-ba-ba-ba.

Yeah.

And...

In, in other words, they let you be the front guy...

Yeah.

...ta, ta make a fool out of ya and you take all the steam for everybody.

Right.

DICK, (laughs).

So, anyway.

I don't know. How do you get into these things?

FF: It's, it's shit.

LS: Huh?

FF: It's just shit.

LS: Yeah, you're being used.

FF: And, uh, the fucking guy, uh, uh, finally they, you know, they, they, here's what happens to me. They, they took, uh, Ann Arbor, which is a very lucrative part of the operation. It's part of the operation that they, uh, you know, that they got from the old, uh, uh, Airport Services.

LS: Yeah, from LENTILE.

FF: And see, they're not, they're not, uh, this type of business people.

LS: Yeah.

FF: They're bus people.

LS: I see.

They, they, they, they know buses. Why, they understand buses and how ta...

Did they buy it from LOUIE LENTILE?

Yeah.

They bought it?

No, no, they didn't buy it from LOUIE LENTILE. They bought it from the bank.

From the bank?

Right.

Oh, the Pontiac bank. That's...

BATTANI (phonetic) stole it.

They stole the company.

Six hundred and sixty thousand dollars.

Yeah, you can't, you gotta be kiddin'.

That's what they bought.

LS: That thing was worth a lot more money.

FF: Oh Christ, they'd, they'd sold the, they, they'd sold the buses off and got their money back.

LS: And they had property, too, didn't they?

FF: No.

LS: No property with the buses?

FF: No.

LS: Then they musta had him with that guy in the bank.

FF: Right.

LS: They musta paid him off pretty fair, boy. (Laughs). He was a black sort of a guy, (unintelligible).

FF: I don't, I don't, I never, I wasn't at the company when they bought it. But anyway, that, that was the

story, so anyway in Ann Arbor, uh, they're renting a service. So, they says, "Okay, here DICK, we're gonna, we wanta institute a, a scheduled service, a line run service."

LS: Yeah.

FF: I says, uh, "Well, what are you gonna do with, with, uh, you know, there's twenty-one hotels in Ann Arbor and they all, you know, they all have their ups and downs, right?"

LS: Yeah.

FF: Now, if you're gonna hit six of 'em, what the fuck is the rest of the hotels gonna do?

LS: That's right.

FF: So, I started puttin' some feelers out and these fuckin' hotels were

just, they're gonna start their own. If SHORTWAY cuts them off they're gonna go out and fuckin' start their own.

LS: Yeah.

FF: So, I think to myself, well, fuck, that's a good, good shot. I says I, MIKE and I talked a little bit and, uh, so I start my own. Well, because I started my own, I become a competitor of theirs and they don't like competition.

LS: Oh.

FF: So, I become every dirty son of a bitch, you know. They, they, I know, now I realize why they brought me in. They brought me in to get rid of MIKE.

LS: Yeah.

FF: They brought me in to get rid of MITCH GENTILE.

LS: Yeah, yeah.

FF: And, uh, and actually be a front guy, uh, because of the problems, uh, you know, with 614 and...

LS: But then you...

FF: ...so forth and so on,

LS: Yeah, and you can take care of it. Yeah.

FF: And, and they beat ya to death and...

LS: Yeah.

FF: ...and they don't pay ya. So, that's what happened. So that's why I left 'em. Now, when I went with FRANK.

LS: Was that organized with 'em?

FF: Yeah.

LS: So, they got a break, uh, with...

FF: Well, fuckin' right. Jesus Christ. Uh, uh, they never had any fuckin' problem.

LS: No kiddin'? Just give 'em passes.

FF: Yeah.

LS: Oh, that's incredible. What a deal.

FF: So, anyway, they, the, the goddamn thing goes and, and I go to work, uh, I go to work and FRANK, you know, I met FRANK. I don't know where the hell FRANK, I ran across FRANKLIN. And I was telling how I was getting very fed up with this fuckin' company because this cock sucker was just fuckin' me around and, you know, when I work for somebody, I, I, I keep everything...

LS: You care about it.

FF: ...ta, ta heart, ya know.

LS: Right.

FF: These fuckin' phone bill, LENNY, I spend six hours a day talkin' to creditors.

LS: (Laughs)

FF: Suing me.

LS: No kiddin'?

FF: And I, I'd call, uh, WIGGINBOWER (phonetic) and, or MARGOLIES in Toledo.

LS: Yeah.

FF: Fuck 'em. Let 'em sue us.

LS: Who are these guys? Are they connected with anybody?

FF: No.

LS: You mean straight guys?

FF: They're, they're shitheads.

LS: Yeah.

FF: They, they probably got some things goin' here and there, but, you know.

LS: They're out of Toledo.

FF: Yeah.

LS: Sick.

FF: So, anyway.

LS: What, they had a limousine service there, too, or what?

FF: No, they got a bus service.

LS: Bus service outta there.

FF: Right.

LS: So, they must have good connections...

FF: Yeah.

LS: ...down in Ohio and here.

FF: Here and there. They go pretty good.

LS: They go pretty good.

F: So, anyway, the fuckin', uh, deal comes out where I leave that and start this little service. Okay, I says, "Hey, FRANK, it's not gonna take too much money." I started up, but the secret of the business, the secret of the business, you gotta run both ways. You can't run just from Ann Arbor. Anybody can run from Ann Arbor into the airport.

S: Yeah.

F: You got to run back. You gotta have permission to come out of the airport. Why, fuck, I ain't got the (unintelligible) of the airport, and I ain't got my connections. Hey, LUCAS, da-da-da-da-da. Terrific, so we took a little shot and, uh.

LS: Are you good with LUCAS?

FF: Well, I, you know, how do I know? I never fuckin', ah, I never got involved in that shit.

LS: Yeah. But out at the airport, you had what's his name, HARRY's, ah, son-in-law. He's out there, isn't he?

FF: Yeah, he's a...

LS: What's his name?

FF: ...cock sucker.

LS: Yeah?

FF: A fuckin' cock.

LS: What's his name again?

FF: Uh, wait a minute.

LS: I use ta, you know, with the blood pressure machines that are out there.

FF: Yeah, wait a minute. Uh, what the hell is his name? Young guy.

Yeah. TIM WARD.

TIM WARD.

Yeah, TIM WARD. Yeah, yeah, TIM WARD, that's his name.

Yeah, cunt.

No kiddin'. Hmph.

So, anyway, um.

But don't forget his father-in-law, BARRY, was real close with, uh, JIMMY. And they were probably with your dad, too, at that time.

Well, it, it never got to the, it never got to the point, but see, the way FRANK does things.

Yeah.

He does them and then goes get permission.

Yeah.

FF: And I'm not, I'm saying that's, that's probably the way to do things.

LS: Right.

FF: Uh, so instead of laying all, eh, the groundwork was laid when we went into the airport.

LS: Right.

FF: Right? All we were gonna do is run Ann Arbor and run the east side. You know, SCOTT, you know, the SCOTT, uh, uh, father and son out there.

LS: (Unintelligible)

FF: BUFFALINO'S friend.

LS: (Unintelligible)

FF: He owns that, uh, PARK CREST HOTEL.

LS: PARK CREST, yeah.

FF: Yeah, and GEORGIAN INN.

LS: Yeah.

Okay. I got that, see. So, that was gonna be the makings of the business. And with them two fuckin' runs, right?

Yeah.

Just, you know, slowly.

Yeah.

Piece this thing off. Don't try to do it all in fuckin' six months, but slowly.

But that supported your business.

Yeah, but the, the support was gonna be...

Yeah.

...the Ann Arbor. That was the most, the most lucrative run they had was Ann Arbor.

Yeah.

And the most, second most lucrative run they had was the east side.

LS: Yeah.

FF: And let them fuckin' have the rest and just...

LS: Yeah.

FF: ...let 'em just take care of those two. Burn themselves up and they'll fuckin', they'll quit.

LS: But now do you have 'em?

FF: Oh yeah, we got 'em.

LS: Well great. That's good. I'm glad to hear it.

FF: Yeah. I got 'em.

LS: Oh.

FF: You, you know, I got 'em when we originally started this.

LS: Oh.

FF: But then FRANK in, uh, uh, the last three months is a, he wants to run downtown, uh, he wants ta, you know, do this.

Well, he's good business for ya.

Oh. What I'm sayin'.

He's smart.

He's the kinda guy that, he does things and goes and gets permission.

Yeah.

Okay? And that started the shit.

Okay, when he started that, SHORTWAY went completely fuckin' crazy. They went out and they did this and they did that and they did this. Okay, and we fought 'em all, hey, all the way up the fuckin' line.

Yeah, okay.

Here about three months ago. You know SANTEZ (phonetic).

SANTEZ? Yeah, yeah, I heard of 'em. You mean from the printer?

FF: Yeah.

LS: Yeah, SAM.

FF: That little fuckin' SAM,

LS: SAM, he's a, he's a real politician. He's in with all the...

FF: Yeah.

LS: ...the governor and everybody.

FF: Well.

LS: Mail service.

FF: Yeah, that, that's right. AMERICAN MAILERS.

LS: Yeah, AMERICAN MAILERS. He was my neighbor in Franklin.

FF: Yeah. So, anyway, he's a friend of MARGOLIES.

LS: Oh my god. Don't have to tell me...

FF: And now the shit starts. I'm a son of a bitch.

LS: You're kiddin'. SAM did this?

FF: (Unintelligible). So, I talked to BOB and, and BOB said, "Oh, fuck it, he, he just, he just talks and, and he..."

LS: Yeah, but he's in politically with everybody...

FF: But he's...

LS: ...and he's gonna still talk.

FF: ...he's, he's into, you know.

LS: Come on.

FF: I says FRANK, "Hey, BOB, the guy's killing me. "And I ain't, I, you know, I, I, I've seen SAM KATZ. I never went ' one way or the other. I could give a...

LS: Let me tell you somethin'. When they all belonged to the club, they use to come to the club.

FF: Yeah.

LS: To my son's club. You know, they use to sit there and pick who's gonna be governor, who's gonna be this or what. I don't know how authentic it was, but, uh, they use to sit there and talk, you know, uh, who use to come there? The judges and, uh, what, what's his name, that SZYMANSKI (phonetic)? What, what's his name, SZYMAN-? That Judge SZYMANSKI.

FF: SZYMANSKI.

LS: Yeah, SYMAN-, a big heavy set guy.

FF: Yeah, a big guy.

LS: He was a football player or what was he?

FF: No, he was just a, a, SZYMANSKI, that was OTTO WENDEL's.

LS: Oh.

FF: Good pal.

LS: Ah, ah, OTTO WENDEL's pal?

FF: Yeah.

LS: Oh, shit. But they use to come there, uh, all the time. I, you know, I never bothered with 'em, but, uh, they use to sit there. They, hey, they acted like king makers, these guys.

FF: Mm hmm.

LS: But, uh, I know SAM real well. So, what does he do, SAM?

FF: Well, he, he, now, he's a friend of MARGOLIES. He don't know a fuck, uh, he don't know nothin' about nothin'. And like I said, "Hey, BOBBY. Tell 'em to get the fuck off my ass." Because...

LS: He's a good friend of BOBBY HOLMES.

FF: I, I, eh, eh, I hear.

LS: I'm telling you that.

FF: Now hey, now BOBBY HOLMES thanks me...

LS: BOBBY HOLMES 'n SAM KATZ is real...

FF: Hey, tells me fi-five weeks ago, six weeks ago.

LS: Yeah.

FF: Yeah, maybe six weeks ago. FRANK comes to me and he says, Hey, who is this fuckin' SAM KATZ?" And I says, "Oh, Jesus, I, I, I don't know. I know he's, I've seen him all around, you know, he, he comes down to see BOBBY. He gets involved in political shit."

LS: Oh yeah, he's, he's friendly.

FF: And does everything, right? Yeah, oh yeah. He's a good friend of BOBBY's. I says, okay. Yeah, now that you mention it, yeah. I see him a lot with BOBBY.

LS: Right.

FF: So, I says, "BOB", I met BOBBY at the airport one morning. He was catchin' a flight at METRO at seven o'clock or seven thirty. So, we went to that, uh, AMERICAN AIRLINES there and we sat and talked and I told him what was goin' on and from what had happened. You know.

LS: Yeah.

FF: And, now this guy is going to LUCAS' group and bad mouthing me and he don't know fuck all about what he's talking about.

LS: You mean MARGO, MAR, MARGOLIES?

FF: MARGOLIES.

LS: Yeah, yeah.

FF: He's...

LS: Bad mouthing you?

FF: . . . bad mouthing. No, SAM KATZ is bad mouthing me.

LS: Oh yeah.

FF: 'Cause he's a friend of MARGOLIES.

LS: Oh my God. SAM's got a big mouth.

FF: Yeah. So, anyway, that was the story.

LS: Heh, so now the license is in jeopardy if you're there.

FF: Well, I don't really know that. That's what FRANK says. He didn't come out and say.

LS: Well, what did BOBBY HOLMES say he's gonna do for ya?

FF: Well, I went and seen BOBBY HOLMES and, uh, he says, uh, "Fuck, don't pay any attention. I'II talk to 'em."

LS: Yeah.

F: "Why he's gettin' involved, uh, he's, uh, I talked to him, eh, eh, about six weeks ago when you came to me." And, uh, you know.

S: Let me ask ya. Doesn't BOBBY owe you?

F: Owe me what?

S: Don't he owe you favors? Come on. BOBBY HOLMES.

F: What the fuck does he owe me for?

S: Well, I don't know. I thought he was gonna be indicted, too. I heard through rumors.

F: Well.

S: Huh?

F: I have no idea. You know, that, that shit's all put in the newspapers just by conversation.

S: Yeah.

FF: I didn't know that. I, hey, I talked to fuckin' CLYDE and I, uh, talked to this one.

LS: Who's that, CLYDE PRITCHARD?

FF: PRITCHARD, yeah.

LS: Yeah.

FF: And, uh.

LS: Who uses him now?

FF: I don't even know.

LS: I see CLYDE once in a while. I run into him. But, uh, he was representing JOEY GIACCALONE, uh.

FF: Yeah,

LS: With that gun deal or he represents him, I think.

FF: Right.

LS: Yeah, CLYDE, he's somethin' else.

FF: So, that, well, you know, that's who I had. Right?

LS: Yeah.

FF: And, uh.

LS: Do you have CLYDE PRITCHARD?

FF: Not now.

LS: No?

FF: I had 'em on the last one.

LS: Who do you use?

FF: I'm using, uh, this HAROLD GUREWITZ.

LS: HAROLD GUREWITZ?

FF: Right.

LS: What law firm is he with?

FF: Oh, he's with, uh, GUREWITZ, uh, SMITH, uh, it's a big firm.

LS: Yeah?

FF: And, and he's, uh, he's a pretty talented, he was a, he was the chief prosecutor. You know the guy that died, or you know, GILMAN?

LS: Yeah.

FF: The guy, uh.

LS: He belonged to the club.

FF: Yeah, right,

LS: At one time.

FF: Well, he. . .

LS: I understand that, hey, hey, this was a real straight guy. A real nice gentleman, I understand.

FF: GILMAN?

LS: Yeah.

FF: Well, anyway, he took . . .

LS: Yep.

FF: . . . GUREWITZ' job.

LS: Oh, I see.

FF: GUREWITZ for nine years was the federal prosecutor.

LS: See, the whole trouble with those guys. I gotta tell you somethin', DICK, you know, it's been my

experience. These guys that work for the federal government, they come in there, ya know, they're not career people. You know, they come in there, they, uh, make a big showing and then they go to work for everybody out in the street. You know that they can do this and they can do that. You know that's bullshit.

Well, here, he, he represented, uh, VISTA. Some people in VISTA.

Oh, VISTA, yeah.

And, uh, you know, hey, FRANK, FRANK says that, uh, yeah, I talked to FRANK. He, he says he's real clever. He thinks and he represented FRANK, you know.

LS: Let me tell you somethin'. Let me tell you somethin'. I'm on the streets a long time. You know, and I stay away from everybody, you know, you know how I am. I, I stay away, do, I, I got my thing here and I do it and I'm happy. I go home and that's it. But I gotta tell you something. They got some career guys up there, uh, in that Attorney General's office. I forgot the name of this one little guy there.

FF: Well, the little guy . . .

LS: What's his name again?

FF: The little guy was COFFEE.

LS: COFFEE? No, there's another guy that tries these cases. Tried the VISTA case.

FF: I don't know about it.

LS:

FF:

LS:

FF:

LS:

You know, there's one guy there, he's been there about five, six, seven years I gotta tell you somethin'. For what I gather, he's probably one of the best trial lawyers. Did you hear me?

Mm hmm.

And he is highly respected by the lawyers profession like you have never seen. And he doesn't miss too much. You know what I'm talkin' about?

Mm hmm.

Everything looks rosy until the jury comes out, then they say what happened? (Laughs) You know what I'm talkin' about? What the heck's his name, that guy? I forgot it,

but he's, he's a pretty, pretty sharp guy. Uh, who is, who is the, uh, who tried your case?

FF: What'd ya...

LS: Last one.

FF: COFFEE.

LS: COFFEE? There's someone else, is he still there?

FF: No.

LS: There's another guy that took his place.

FF: The guy that took his place was, uh, oh, hell. What the fuck, he's a tall guy.

LS: I'm sure if he was tall, I would, uh. . .He's been there. Is he with the TASK FORCE?

FF: Yeah.

LS: Yeah, TASK FORCE. Highly respected talented man I understand. He,

he's pretty good. He gets those convictions.

FF: No, this is. Yeah, that's probably the same guy that's handling our deal.

LS: Your case now?

FF: Yeah.

LS: I don't understand. He's, he's, when you goin' to trial?

FF: Ah, it's slated for September now and, uh, you know, SOL SCHWARTZ has got FINK.

LS: NEIL FINK?

FF: And I understand that NEIL FINK is going in for another postponement 'cause he just got involved.

LS: Another postponement? He's gonna keep postponing as long as you can. But this guy here is a real sharp guy.

FF: Mm hmm.

LS: And, uh, FINK,he battles you down the line and, and, an he gets 'em. he gets those convictions, this guy. I know. I heard some lawyers talking about him saying he's fabulous.

FF: Mmm.

LS: But he's a career guy. But he don't give a goddamn. Look what you're going up against. You're going, you know, what happens if you lose here? Two-time loser.

FF: Right.

LS: What, what does that mean?

FF: Well, they, uh, according to what these attorneys are telling me and, and LENNY, let me tell you somethin'. This is the biggest bullshit fuckin' case.

LS: Well, what do they really got you for?

FF: Nothin'. They got me . . .

LS: Nothin'? They got you for somethin'.

FF: Hey.

LS: You got indicted.

FF: Wait a minute.

LS: Come on.

FF: They got me . . .

LS: Yeah.

FF: . . .right, for, okay, uh, when I went away in March of '80.

LS: Yeah.

FF: Uh, PROFESSIONAL SERVICES had signed a contract with the MICHIGAN CONFERENCE of TEAMSTERS HEALTH AND WELFARE FUND and what had happened is that ROGER TOWNE and ED BROWN

got more. That's who was, that's who PROFESSIONAL SERVICES was.

LS: Yeah, those guys had bad reputations.

FF: Okay. But not, but he, but listen to this.

LS: Yeah.

FF: So, I was a trustee.

LS: Mm hmm.

FF: They came to us in May of 1979, made a proposal to the trustees and we voted, the trustees, after taking all the other, voted the trustees, to give them the deal and they've had it ever since. Now, I resigned January the se-, officially, January the second. . .

LS: Yeah.

FF: . . . of 1980, I did not sit and do any business as far as the MICHIGAN

CONFERENCE from November until January when I resigned.

LS: Yeah.

FF: I made my, hey, I made my decision to plead guilty . . .

LS: Yeah.

FF: . . . in November and I, I went and I told BOBBY and I told my dad, I told ROY WILLIAMS, I told everybody.

LS: Mm hmm.

FF: Uh, I'm gonna resign. Okay? Because and for tax purposes and so forth.

LS: Yeah.

FF: They told me. Make it January, you know. They wanted me to resign prior to the first of the year. CLYDE talked to the government and got 'em to agree that I could

resign as because of the tax purposes.

LS: Yeah.

FF: And they says, okay. And I resigned. While I was away and while I was serving time, ROGER TOWNE, all right, put my wife to work . . .

(Tape Cuts out)

(End of Side #1 of 2)

(Beginning of Side #2 of 2)

FF: . . . in 1981.

LS: Yeah.

FF: Not in 80, but in 81, hired my wife, paid her eleven thousand dollars.

LS: Yeah.

FF: And what she was doing, she was, uh, looking at properties. You

know, 'cause they were building clinics.

LS: Clinics, yeah.

FF: And so forth. Now the whole goddamn thing, that's one count.

LS: Yeah.

FF: Because they paid my wife eleven thousand dollars.

LS: They claimed it was for you. Is that it?

F: They, they claimed that it was for, uh, receiving, uh, the, the legal words.

S: Yeah.

F: Something, you know.

S: Something that was illegal?

F: Even, eh, even when she got this money.

S: Yeah.

F: I wasn't working for the union.

LS: Yeah.

FF: And it was all shit 'cause when I come home, when I come home in December of 81, nothin' happened. I went to ROGER TOWNE in May because we, we had set it up, that "you know what, when you get out, you know, sit down and, and let's talk because you know, with your connections, through your father and so forth, hey, that's worth a million fuckin' dollars to us."

LS: That's right.

FF: "And we'll work. Okay?" When I come out, I went to EDDIE and I went to this guy ROGER and they says, "Okay, sure. Yeah, we'll put ya on, put it in writing." You know, writing?

LS: Yeah.

FF: Put you on twenty-five hundred dollars a month as consultant because of your, and, come right out and said it. Because of your connections with the labor organizations. Not necessarily the TEAMSTERS. The labor organizations, hey, it's, it's a, a, it's advantageous to us to put you on for twenty-five hundred. Then, about a day later after the letter, he called me and he says, it was already, our attorneys, at the advise of our attorneys, we've got to get permission from, from the government or somebody that you can work. It's not a violation of your, you know.

LS: Probation?

FF: No.

LS: Parole?

FF: Parole.

LS: Yeah.

FF: Even though I wasn't on parole, but you know I, I come under that RICO act, that five year shit.

LS: Oh.

FF: So, I says, uh, good. So, I went and I talked to, uh, my probation officer who, uh, you know, I wasn't on probation. I, uh, just went and talked to him, I'd seen.

LS: Yeah.

FF: And wanted to know if he'd give me a letter. He said, no. Went and talked to the labor department. I asked 'em if they'd give me a letter.

LS: Yeah.

And they didn't see anything wrong with it, but they wouldn't give me a letter. So, finally I called CLYDE and I says, hey CLYDE, to go to work I need a fuckin' letter from somebody. Okay, fuck it. He says, I'II just go right to COFFEE. Went to COFFEE and COFFEE said no.

So, he didn't have no connection with COFFEE. (Laughs)

Right.

(Laughs) See?

So, guess what?

What?

I never drew a dime from 'em.

Yeah.

Never got five fuckin' cents.

Yeah.

I never did a thing.

LS: Yeah.

FF: Now, that's one of the, hey, that's one of the fuckin' indictments.

LS: Yeah.

FF: The next one is at, okay, uh, TERRY PORTER, who also did some work with ROGER and . . .

LS: Yeah.

FF: . . . them. Whenever I was and I remember it so just like it was fuckin' last week.

LS: Yeah.

FF: TERRY and I have known each other for ten years.

LS: Yeah.

FF: I met him out at Bay Pointe when I was out there as a member and through golf and he'd come to the house with his wife, you know, just, just, uh, uh, acquaintance.

We had dinner and, and everything. But he got involved. He has one of these H. M. O.'s, you know, where nurses go out and . . .

Yeah.

. . . do all that shit. So, okay, in, in, uh, March, I, I, I turned myself in on March the eighteenth. March the twelfth. I was down, I was down at NEMO's and he come up to me. He says, "Well, DICK, you know, this and that, ba-ba-ba, and, you know somethin'", he says, "uh, uh, uh, I wanta do somethin' to help ya and, you know, I'm told, uh, I'm told I'm only got ten months (unintelligible). So, I says, so he says, "Hey, listen. You know what I'll do? Hey, why don't I do this? I'II give JEAN

four hundred a month. I'II go back to the office and I'II get some I. O. U.'s typed up."

LS: Yeah.

FF: "And sign 'em and I'II give her four hundred a month and then when you get out we'll get together, get somethin' goin' and we can . . ."

LS: Yeah.

FF: . . . work it off." Right? Okay. I sign 'em, I. O. U. It, it says I.O.U. four hundred dollars and, uh, you know.

LS: Yeah.

FF: An I. O. U. (clears throat). Okay, her first check was in March.

LS: Yeah.

FF: That he gave her. He gave her four hundred bucks. He went on to give her, uh, I'd sag fourteen checks

because, and then, even when I was in the shit can, he wrote me and I got the letters to prove it, he, the business has been kinda slow, DICK, uh, you know. I, we thought, we thought you was only gonna be gone ten months and here it is fourteen months and . . .

LS: So, what's four more months, right?

FF: Okay.

LS: Eh heh heh.

FF: So, anyway, but even when I was gone, I signed nine of 'em . . .

LS: Yeah.

FF: . . . before I left and my wife signed seven of 'em.

LS: Uh huh.

FF: NOW, LENNY, I've got proof, I got in his handwriting, you know, when

I first come home and, okay, the realization Senior's dead and gone.

LS: Yeah.

FF: Da-da-da, all that shit is all . . .

LS: When your dad died, you died, right?

FF: . . . all part of . . .

LS: Yeah.

FF: . . . shit, right?

LS: Right.

FF: So, anyway, I didn't go to work, I didn't go to work until 80, 83. Is it 83 or 82? 83. I went to work, uh, uh, for SHORTWAY.

LS: Yeah.

FF: You know, I was working down at COBO HALL . . .

LS: Yeah, right.

FF: . . . in between and so forth. And he, and TERRY, he's writin' me these fuckin' notes. You know, you still owe me six thousand dollars. I, I wish you'd pay me and I wish you'd do somethin' and so forth. And I got the notes.

LS: Yeah.

FF: But, you know, I loaned ya the money in good faith and, uh...

LS: You're kidding?

FF: . . . you owe me the money and la-la-la.

LS: Heh.

FF: Then . . . I work out a deal with him. Last year we went down to Florida, at my place in Florida and he says, okay, you know, just, then we started talkin'.

LS: Where you at in Florida?

FF: Tampa.

LS: Oh, Tampa. That's a good area.

FF: Yeah. So, anyway, we, I, we were down there. I took, uh, uh, six days last year and I went down to Florida. And TERRY, eh, TERRY, uh, uh, uh, his family lives right by there so he, he come down and he went with them for two days and he come over and stayed with me for four days.

LS: Hmm.

FF: And we golfed and, you know.

LS: Yeah.

FF: Just fucked around.

LS: Right.

FF: So, he says, hey, that was really nice and so forth. Hey, take five hundred dollars off, uh, of what you owe me and bla-bla-bla. You

know, next year my kids are gonna be gonna be gone and I'm gettin' me, I'm gettin' a divorce, you know.

LS: Yeah.

FF: And my kids, you know. I'II be down there wantin' to stay at your place a week, ten days with the kids.

LS: And take the money off.

FF: Take, and take it off and we'll just work it out that way. I says, all right, hey, fine with me.

LS: Right.

FF: That's another one of the counts.

LS: DICK, can I ask you a question?

FF: Yeah.

LS: You really, you know, you got problems. You got problems. You

go away again, then what are you gonna do?

FF: I have no idea.

LS: I'm gonna tell ya, you, you're a sunk goose with these guys. You look like the fall guy the way you're talkin'.

FF: Yeah, but what the fuck, hey, why am I the fall guy?

LS: I don't know. I don't know. You see, if your father was . . .

FF: You see.

LS: . . . alive, you wouldn't have that problem, right?

FF: You see.

LS: What's DON doing?

FF: He works for the INTERNATIONAL.

LS: For the INTERNATIONAL?

FF: Yeah, he's an auditor.

LS: And they won't let you do nothin'?